

Art Unit: 1797

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Jamie M. Larmann-East, on 09/24/09.

The application has been amended as follows:

Title: change to "Method for determining effect of preformulation forms on their dissolution rates".

**In claim 3:**

in step (h) in front of "diluting" insert -- serially --; replace [portion] with -- portions -- and [each sample] with -- the samples --;

in step (i) replace [determining how much ] with -- measuring the --.

**In claims 30-32:** replace [one sample] with -- the first form -- and [another sample] with -- the second form --.

Add:

**Claim 36 (New):** The method of claim 3, wherein step (h) is performed with a dilution factors of 10 and 100.

2. **Claims 3, 30-32 and 36** are allowed. The new numbering of claims is 1 through 4.

The following is an examiner's statement of reasons for allowance: the examiner agrees with the Applicants' remarks that Cima does not teach or fairly suggest the dissolution assay as claimed in claim 3 with serial dilutions for measuring compound-of interest dissolved in the liquid portions of the samples having sub-arrays representing "time domain" of dissolution process.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yelena G. Gakh, Ph.D. whose telephone number is (571) 272-1257. The examiner can normally be reached on 9:30 am - 6:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vickie Y. Kim can be reached on (571) 272-0579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yelena G. Gakh/  
Primary Examiner, Art Unit 1797

9/25/2009